

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROGER CANTU, et al.,
Plaintiffs,
v.
KINGS COUNTY, et al.,
Defendants.

Case No. 1:20-cv-00538-JLT-SAB

ORDER REQUIRING PLAINTIFF G.C. TO
SHOW CAUSE IN WRITING WHY
SANCTIONS SHOULD NOT ISSUE FOR
FAILURE TO COMPLY WITH COURT
ORDER

(ECF No. 58)

THREE DAY DEADLINE

On August 15, 2023, the parties filed a notice of settlement of this entire action. (ECF No. 51.) On August 16, 2023, the Court set a deadline of thirty (30) days to file the petition for minor's compromise, however, noted that if the parties require additional time, they may file a stipulated request demonstrating good cause. The deadline to file a petition for minor's compromise expired and on September 26, 2023, the Court issued an order to show cause why sanctions should not be imposed. (ECF No. 55.) On September 28, 2023, the Court discharged the order to show cause. (ECF Nos. 58.) In discharging the order to show cause, the Court noted Plaintiff's counsel's proffer that the petition for minor's compromise would be filed with or without the signature of the guardian ad litem by September 29, 2023, and the Court extended the deadline for one week, to October 6, 2023, in order to obtain the signature. (ECF No. 58 at 2.)

1 On September 29, 2023, Plaintiff G.C. filed a motion to seal the petition for minor's
2 compromise. (ECF No. 59.) On October 3, 2023, the Court denied Plaintiff's motion to seal
3 without prejudice. (ECF No. 60.) In the order issued on October 3, 2023, the Court expressly
4 noted that "[t]he deadline to file the petition for minor's compromise remains set for October 6,
5 2023, however, Plaintiff may request an extension based on good cause." (ECF No. 60 at 5 n.2.)

6 The deadline to file a petition for minor's compromise and Plaintiff has not filed such
7 petition nor filed a request for an extension of time to do so. The Court has the inherent power to
8 control its docket and may, in the exercise of that power, impose sanctions where appropriate,
9 including dismissal of the action. Bautista v. Los Angeles Cnty., 216 F.3d 837, 841 (9th Cir.
10 2000). Recognizing the status of Plaintiff being a minor acting through a guardian ad litem and
11 represented by counsel, the Court shall require Plaintiff G.C. to show cause why sanctions
12 should not issue for the failure to file the petition, and concurrently make any needed request for
13 an extension of time to file such petition.

14 Accordingly, IT IS HEREBY ORDERED that:

- 15 1. Within **three days of entry of this order**, Plaintiff G.C. shall show cause in
16 writing why sanctions should not issue for the failure to comply with the Court's
17 order issued September 28, 2023, extending the deadline to file the petition for
18 minor's compromise to October 6, 2023; and
19 2. The failure to comply with this order will result in the issuance of sanctions.

20
21 IT IS SO ORDERED.

22 Dated: **October 10, 2023**


UNITED STATES MAGISTRATE JUDGE